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10 Attorney for Robert Carl Kindell

11  
12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**  
14

15 UNITED STATES OF AMERICA,  
16  
17 Plaintiff,  
18  
19 v.  
20 ROBERT CARL KINDELL,  
21  
22 Defendant.

Case No. 3:23-cr-00039-ART-CLB

**ORDER GRANTING  
STIPULATION TO ADVANCE  
SENTENCING HEARING**  
(First Request)

23 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.  
24 Frierson, United States Attorney, and Andrew Keenan, Assistant United States  
25 Attorney, counsel for the United States of America, and Rene L. Valladares,  
26 Federal Public Defender, and Joy Chen, Assistant Federal Public Defender,  
counsel for Robert Carl Kindell, that the Sentencing Hearing currently scheduled  
on August 1, 2024 at 11:00 AM, be vacated and advanced to July 11, 2024 at 1:00  
PM.

This Stipulation is entered into for the following reasons:

1           1.     The parties have entered into a proposed global resolution of this  
2 matter and Mr. Kindell's supervised release revocation matter, USA v. Kindell,  
3 2:01-cr-00449-KJD-EJY.

4           2.     Mr. Kindell pleaded guilty under a binding guilty plea agreement in  
5 this case. See ECF No. 39. Pursuant to that agreement, the parties will recommend  
6 that Mr. Kindell be sentenced to 27 months in custody, to run fully concurrent to  
7 a guidelines (21-27 month) sentence in his supervised release revocation case.

8           3.     Mr. Kindell's sentencing in this case is scheduled for August 1, 2024.  
9 His supervised release revocation hearing is scheduled for June 25, 2024.

10          4.     Undersigned defense counsel has spoken with counsel from the BOP  
11 regarding the proposed sentences. BOP counsel has indicated that in order to best  
12 effectuate the parties' agreement that Mr. Kindell serve a total of no more than 27  
13 months (concurrent) for both offenses, sentencing in this matter should occur as  
14 close in time as possible to sentencing in the supervised release revocation matter.

15          5.     For this reason, the parties respectfully request that Mr. Kindell's  
16 sentencing hearing be advanced to July 11, 2024, at 1 PM.

17          6.     The parties have received the initial Presentence Investigation  
18 Report in this case.

19          7.     The defendant is in custody and agrees with the above request.  
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1 This is the first request for an advancement of the sentencing hearing.

2 DATED: June 11, 2024.

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4 RENE L. VALLADARES  
5 Federal Public Defender

JASON M. FRIERSON  
United States Attorney

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7 By /s/ Joy Chen

8 JOY CHEN  
Assistant Federal Public Defender

By /s/ Andrew Keenan

ANDREW KEENAN  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 ROBERT CARL KINDELL,

7 Defendant.  
8  
9

Case No. 3:23-cr-00039-ART-CLB

ORDER

10 IT IS THEREFORE ORDERED that the sentencing hearing currently  
11 scheduled for Monday, August 1, 2024 at 11:00 a.m., be advanced to July 11,  
12 2024 at the hour of 1:00 p.m. in a LV courtroom to be determined.

13 DATED this 13th day of June, 2024.

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16 UNITED STATES DISTRICT JUDGE  
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